



The State Bar of California Labor and Employment Law Section
in association with The San Luis Obispo County Bar Association

Presents

Labor & Employment Law For the General Practitioner

Saturday, August 28, 2004
8:30 a.m. to 2:00 p.m.

San Luis Obispo County Law Library
County Government Center Room 125
1050 Monterey Street
San Luis Obispo, CA 93401
(805) 781-5855

4 HOURS MCLE

For online registration visit www.calbar.ca.gov/laborlaw

*The State Bar of California Office of Section Education & Meeting Services
is a State Bar of California approved provider.*

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SCHEDULE OF EVENTS

8:30–9:00 a.m.

Check-In and Continental Breakfast (included)

9:00–10:00 a.m.

The Law of Employment

Fundamentals of at-will employment, employment contracts, public policy and collective bargaining, including wrongful termination and unlawful discrimination.

10:00–10:15 a.m.

Break

10:15–11:15 a.m.

Administrative Agency and Court Jurisdiction in Labor and Employment Cases

A review of the considerations and procedures in bringing and defending claims – particularly agency vs. court jurisdiction, administrative exhaustion and limitations periods – before several of the administrative agencies which enforce labor and employment laws in California, including the Equal Employment Opportunity Commission (EEOC), the Department of Fair Employment and Housing (DFEH), the Office of the Labor Commissioner, the National Labor Relations Board (NLRB), the Public Employment Relations Board (PERB), and the Unemployment Insurance Appeals Board.

11:15–12:00 p.m.

Lunch (included)

12:00–1:00 p.m.

California Wage and Hour Law

Essentials of wage and hour law, particularly often-misunderstood issues including overtime, record keeping, independent contractors, salary vs. hourly compensation, commissions and breaks.

1:00–2:00 p.m.

Workers with Disabilities and Illnesses

Overview and analysis of the several state and federal laws in this area, as well as the interplay between and among them, with a focus on disability discrimination (federal and state), disability accommodation (federal and state), and family and medical leave (federal and state, including the new state law entitling workers to paid leaves of absence).



FACULTY

Michael Jackman has been a Staff Attorney in the San Diego office of the California State Labor Commissioner since July, 1998. As Staff Attorney, he advises the office on matters of California labor and employment law and represents claimants in Superior Court appeals of the Labor Commissioner's Orders, Decisions or Awards. Mr. Jackman also represents the Labor Commissioner in court proceedings when the agency sues on behalf of groups of workers to collect unpaid wages, and defends the agency in writ proceedings. Before becoming Staff Attorney, Mr. Jackman served as a Deputy Labor Commissioner in Los Angeles from 1996 to 1997, and as an administrative Hearing Officer for the same agency in San Diego from 1997 to 1998. Prior to joining the Labor Commissioner's Office, Mr. Jackman served from 1991 to 1996 as a Staff Attorney for California Rural Legal Assistance, in Oceanside, California, where he represented farm workers in employment, housing, immigration and consumer matters. Mr. Jackman attended the University of San Diego School of Law, graduating in 1990. Before that, he attended San Diego State University and graduated in 1987 with a Bachelor's Degree in Spanish.

Janet M. Koehn is an attorney in private practice in Ventura, where she has lived and worked for more than 25 years. Her practice is limited to employment litigation and consulting and to other civil and personal rights matters. Ms. Koehn is a graduate of Wayne State University Law School in Detroit, where she was on the Law Review. She is a former Sixth District Governor (encompassing San Luis Obispo) of California Women Lawyers Association, a founder and past president of Ventura County Women Lawyers, and a founder and former chair of the Labor and Employment Law Section of the Ventura County Bar Association. Ms. Koehn is active in the National Employment Lawyers Association and the California Employment Lawyers Association. Ms. Koehn is the recipient of the 2003 Joseph Posner Memorial Award, presented by CELA for outstanding contributions to the plaintiff's employment bar.

Tyler M. Paetkau is a partner in the Labor and Employment Law Practice Group in Bingham McCutchen LLP's Silicon Valley Office. Mr. Paetkau's practice focuses on labor and employment litigation and counseling. He represents employers in state and federal court litigation involving claims of wrongful termination, discrimination, sexual harassment, retaliation, defamation, unpaid commissions and wage-hour violations, unfair competition and misappropriation of trade secrets. In addition to his employment litigation practice, he regularly counsels employers on personnel policies and procedures, employee handbooks, employee discipline and termination matters, workplace investigations, corporate restructuring, immigration, employment contracts, protection of trade secrets, employee leasing and the use of temporary employment agencies and employment benefits issues. Mr. Paetkau is Chair of the Executive Committee of Labor and Employment Law Section of State Bar of California, and is on the Editorial Board of Bender's California Labor & Employment Bulletin. Mr. Paetkau earned his Juris Doctor, cum laude, from the University of Michigan Law School in 1989, and his Bachelor of Arts, High Honors and High Distinction, from the University of Michigan in 1987.

Marilynn Mika Spencer has been representing workers and labor unions for 20 years, first as a labor union officer and shop steward, then as an attorney. Ms. Spencer maintains private law offices in San Diego and Temecula, representing unions, workers, and selected employers in labor and employment matters. Ms. Spencer is a co-author of a chapter on injured and disabled workers for the National Lawyers Guild publication *Employee and Union Member Guide to Labor Law*, published by Clark Boardman Callaghan (West Group), and her articles have appeared in a number of law journals. Ms. Spencer is on the Executive Board of the California Employment Lawyers Association (CELA) and a member of the Executive Committee of the Labor and Employment Section of the State Bar of California. She is the immediate past Chair of the Personnel Appeals Board of the City of La Mesa. Ms. Spencer obtained her law degree from the University of California at Los Angeles (UCLA) School of Law.

ON-LINE REGISTRATION is available at www.calbar.ca.gov/laborlaw.

DEADLINE

In order to pre-register, your form and check, payable to the State Bar of California, or credit card information **MUST BE RECEIVED BY AUGUST 18, 2004.**

MAIL TO

Program Registrations
State Bar of California
180 Howard Street
San Francisco, CA 94105

Or

FAX TO

Program Registrations at 415.538.2368. In order to fax your registration, credit card information is **MANDATORY.**

CANCELLATIONS/REFUNDS

Cancellations and requests for refunds must be received in writing by August 18, 2004. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

ON-SITE REGISTRATION is limited and subject to availability. Please register in advance.

SPECIAL ASSISTANCE

For special assistance please call 415.538.2590; for TDD speech and hearing impaired, please call 415.538.2231.

QUESTIONS

For registration information please call 415.538.2508. For information regarding the program please call 415.538.2242.

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San Luis Obispo, CA

REGISTRATION FORM

*Note: One registrant per form. Photocopies may be used.

Bar # _____

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email _____

*Registration must be received by August 18, 2004.

PROGRAM REGISTRATION FEES:

[] Labor & Employment Section Member \$40

[] San Luis Obispo County Bar Association Member \$40

[] All Others \$45

[] Non-Member. \$70

Includes 2004 membership in Labor & Employment Law Section

Amount Enclosed/To be Charged \$ _____

CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I/we authorize the State Bar of California to charge my/our program registration to my/our **VISA/MasterCard** account. (No other credit card will be accepted.)

Account # _____ Exp. Date _____

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Cardholder's Signature _____

State Bar Education Foundation
Labor & Employment Law Section
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